

SENATE BILL 445

By Burchett

AN ACT to amend Tennessee Code Annotated, Section 50-6-204, relative to the Comprehensive Medical Fee Schedule.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 50-6-204, is amended by adding the following at the end of (i)(7):

Provided, however, that any lower fees paid for medical services furnished on or after January 1, 2008 must be made pursuant only to a contract or agreement negotiated and signed directly between the health care provider and the employer, trust, pool, or insurer. Under no conditions shall negotiated rates for workers' compensation services be assigned to or accessible to any other party than the employer, trust, pool, or insurer who signed the contract or agreement. In the absence of such existing contract or agreement, payment will be the reimbursement rates established by rule in the comprehensive medical fee schedule. By no means should fees paid to a health care provider through a contract or agreement negotiated on a commercial health insurance product line be applied to payment to health care providers for workers' compensation services unless the contract or agreement clearly and expressly stipulates that fees payable under commercial health insurance rates will apply to workers' compensation services.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.